

FILE # 234949-06

COURT

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

KNOXVILLE

JANEEN BRIDA, INDIVIDUALLY AND AS TRUSTEE AD LITEM
ON BEHALF OF ALL PARTIES ENTITLED BY LAW TO Plaintiff(s)
DAMAGES IN THE DEATH OF *against* JEROME HEFFNER, SR.,
DECEASED,

Index No. 07 CV 8060

AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)
IN A CIVIL CASE

PFIZER INC., PARKE-DAVIS, et al.,

Defendant(s)

NEW JERSEY

STATE OF NEW YORK, COUNTY OF PASSAIC

party herein, is over 18 years of age and resides at WAYNE, NEW JERSEY
That on 10/19/07 at 9:12AM, at 235 EAST 42ND STREET, NEW YORK, N.Y.
deponent served the within summons, and *complaint* on WARNER-LAMBERT COMPANY
IN A CIVIL CASE defendant therein named,

INDIVIDUAL

by delivering a true copy of *each* to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION

a FOREIGN corporation, by delivering thereat a true copy of *each* to TERRENCE MCCANN personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be MANAGING AGENT thereof.

SUITABLE AGE PERSON

by delivering thereat a true copy of *each* to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.

AFFIXING TO DOOR, ETC.

by affixing a true copy of *each* to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 4

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO
BUSINESS
USE WITH 3 OR 4

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at

in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

DESCRIPTION
USE WITH
1, 2, OR 3

| | | | | | | |
|--|--------------------------------------|--|-------------------------------------|---------------------------------------|---|---|
| <input checked="" type="checkbox"/> Male | <input type="checkbox"/> White Skin | <input type="checkbox"/> Black Hair | <input type="checkbox"/> White Hair | <input type="checkbox"/> 14-20 Yrs. | <input type="checkbox"/> Under 5' | <input type="checkbox"/> Under 100 Lbs. |
| <input type="checkbox"/> Female | <input type="checkbox"/> Black Skin | <input checked="" type="checkbox"/> Brown Hair | <input type="checkbox"/> Balding | <input type="checkbox"/> 21-35 Yrs. | <input type="checkbox"/> 5'0"-5'3" | <input type="checkbox"/> 100-130 Lbs. |
| | <input type="checkbox"/> Yellow Skin | <input type="checkbox"/> Blonde Hair | <input type="checkbox"/> Mustache | <input type="checkbox"/> 36-50 Yrs. | <input type="checkbox"/> 5'4"-5'8" | <input type="checkbox"/> 131-160 Lbs. |
| | <input type="checkbox"/> Brown Skin | <input checked="" type="checkbox"/> Gray Hair | <input type="checkbox"/> Beard | <input type="checkbox"/> 51-65 Yrs. | <input checked="" type="checkbox"/> 5'9"-6'0" | <input type="checkbox"/> 161-200 Lbs. |
| | <input type="checkbox"/> Red Skin | <input type="checkbox"/> Red Hair | <input type="checkbox"/> Glasses | <input type="checkbox"/> Over 65 Yrs. | <input type="checkbox"/> Over 6' | <input type="checkbox"/> Over 200 Lbs. |

Other identifying features:

USE IN
NYC CIVIL CT.

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient *wore ordinary civilian clothes and no military uniform*. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on
10/24/07

NADINE PASPCHEA

NOTARY PUBLIC, STATE OF NEW YORK

Commission Expiration 10/2009

Nadine Paspchea

PRINT NAME beneath signature

PETER FELDMAN

License No. 797824

OAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

| | |
|--|---------------------------------|
| Service of the Summons and complaint was made by me ⁽¹⁾ PETER FELDMAN | DATE OCTOBER 19, 2007 |
| NAME OF SERVER (PRINT) PETER FELDMAN | TITLE PROCESS SERVER |

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served: _____

Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: TERRENCE MCCANN

- Returned unexecuted: _____

- Other (specify): _____

STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|
| | | |

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 10/24/07

Date

Signature of Server

PETER FELDMAN

NADINE PASERCHIA
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 12/27/2009

Nadine Paserchia

WAYNE, NEW JERSEY

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.